

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION**

MIDLAND FUNDING LLC

Plaintiff,
vs.

ANDREA L. BRENT

Defendant and Third-Party Plaintiff
vs.

**MIDLAND CREDIT MANAGEMENT,
INC.**

Third-Party Defendant

Case No. 3:08-CV-1434

Judge David A. Katz

DEFENDANT/THIRD-PARTY PLAINTIFF'S MOTION FOR CLASS CERTIFICATION

Defendant/Third-Party Plaintiff, Andrea Brent, moves that this Court certify this case as a class action on behalf of two classes. Class One consists of a class of: **all natural persons sued in an Ohio court, directly or indirectly by Midland Credit Management, Inc., where a form affidavit was used as the only verification of the alleged debt, and the suit was filed on or after a date one year prior to April 17, 2008.** Class Two consists of a class of: **all natural persons sued in an Ohio court, directly or indirectly by Midland Credit Management, Inc.; the institution of the suit was after the expiration of a statute of limitations, and the suit was filed on or after a date one year prior to April 17, 2008.**

Third-Party Plaintiff Brent further moves that this Court designate her as class representative of Class One and Class Two and order the submission of a proposed notice of this

litigation to Class Members. The requirements of FED. R. CIV. P.23 are satisfied and this case is well suited for class treatment.

Respectfully submitted,

/s/Dennis E. Murray, Sr.

Dennis E. Murray, Sr., Esq. (0008783)

E-Mail Address: dms@murrayandmurray.com

Donna J. Evans, Esq. (0072306)

E-Mail Address: dae@murrayandmurray.com

MURRAY & MURRAY CO., L.P.A.

111 E. Shoreline Drive

Sandusky, Ohio 44870

Telephone: (419) 624-3000

Facsimile: (419) 624-0707

Attorneys for Defendant/Third-Party Plaintiff

CERTIFICATION

This is to certify that a copy of the foregoing **Defendant/Third Party Plaintiff's Motion for Class Certification** was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic system. Parties may access the filing through the Court's system on this 19th day of August, 2008.

Respectfully submitted,

/s/Dennis E. Murray, Sr.

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